REMARKS

Claims 39 and 40 are pending in this application. Applicants have cancelled claims 1 to 38, and added claims 39 and 40. New claims 39 and 40 are directed to compositions that include antibacterial agents identified by the recited methods. The recited methods are similar to claims 1 and 2 as allowed in application serial number 09/163,445. Support for the new claims can be found throughout the specification, specifically at page 5, lines 8 to 17, and page 8, lines 1 to 8. Amendments to the specification were made to conform the specification to the drawings and sequence listing submitted herewith. Thus, the amendments add no new matter.

The amendments also replace the original figures with formal drawings. Figures 1 and 2 have been amended. Original Figure 1 incorrectly depicts the *Streptococcus pneumoniae* yneS polypeptide and gene as SEQ ID NOs: 2 and 1, respectively. New Figure 1 correctly depicts the polypeptide and gene as SEQ ID NOs: 1 and 2, respectively. Original Figure 2 incorrectly depicts the *Bacillus subtilus* yneS polypeptide and gene as SEQ ID NOs: 4 and 3, respectively. New Figure 2 correctly depicts the polypeptide and gene as SEQ ID NOs: 3 and 4, respectively. These errors would be immediately apparent to one of skill in the art because the correct SEQ ID NOs were used for each sequence throughout the specification as originally filed. Thus, the correction merely transposes the SEQ ID NOs and introduces no new matter.

Applicants hereby submit enclosures that fulfill the requirements under 37 C.F.R. §1.821-1.825. The Sequence Listing adds no new matter under C.F.R. §1.821(g).

Attached is a marked-up version of the changes being made by the current amendment. Applicant asks that all claims be examined and allowed. Please apply any excess charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 06286-090002.

Respectfully submitted,

Date: February 5, 2002

J. Peter Fasse

J. Peter Fasse
Reg. No. 32,983

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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Version with Markings to Show Changes Made

In the specification:

The paragraph at page 1, lines 5 to 7, immediately after "Cross Reference to Related Application," has been amended as follows:

--This application is a divisional of application serial number 09/163,445 filed September 30, 1998, which claims priority under 35 U.S.C. § 119 from U.S. Serial No. 60/070,116, filed December 31, 1997, which are incorporated herein by reference in their entirety.--

The paragraphs at page 11, lines 2 to 9, immediately after "Brief Description of the Drawings), have been amended as follows:

--Fig. 1 is a listing of the amino acid and nucleic acid sequences of a yneS polypeptide and gene from a *Streptococcus pneumoniae* strain (SEQ ID NOs:1 and 2, respectively). The complement of the nucleic acid sequence is set forth as SEQ ID NO: 11.

Fig. 2 is a listing of the full-length amino acid and nucleic acid sequences of a yneS polypeptide and gene from a *B. subtilis* strain (SEQ ID NOs:3 and 4, respectively). The complement of the nucleic acid sequence is set forth as SEQ ID NO: 12.--

In the claims:

Claims 1 to 38 have been cancelled.

Claims 39 and 40 have been added.

In the Drawings:

Figs. 1 and 2 have been amended as indicated in red on the attached copies.

Fig. 1

STRPN_MPI_yneS

SEQ ID NO: 2
SEQ ID NO: 1
SEQ ID NO: 1

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1   ATGATTACAATAGTTTTATTAATCCTAGCCTATCTGCTGGGTTCGATTCCATCTGGTCTCTGGATTGGACAAGTATTCTTTCAAATCAATCTACGCGAGC  100
    TACTAATGTTATCAAAATAATTAGGATCGGATAGACGACCCAAGCTAAGGTAGACCAGAGACCTAACCTGTTCATAAGAAAGTTTAGTTAGATGCGCTCG

1   M I T I V L L I L A Y L L G S I P S G L W I G Q V F F Q I N L R E H   34

101 ATGGTTCTGGTAACACTGGAACGACCAACACCTTCCGCATTTTAGGTAAGAAAGCTGGTATGGCAACCTTTGTGATTGACTTTTTCAAAGGAACCCTAGC  200
    TACCAAGACCATTGTGACCTTGCTGGTTGTGGAAGGCGTAAAATCCATTCTTTCGACCATACCGTTGGAAACACTAACTGAAAAAGTTTCCTTGGGATCG

35  G S G N T G T T N T F R I L G K K A G M A T F V I D F F K G T L A   67

201 AACGCTGCTTCCGATTATTTTTCATCTACAAGGCGTTTCTCCTCTCATCTTTGGACTTTTGGCATTTATCGGCCATACCTTCCCTATCTTTGCAGGATTT  300
    TTGCGACGAAGGCTAATAAAAAGTAGATGTTCCGCAAAGAGGAGAGTAGAAACCTGAAAACCGACAATAGCCGGTATGGAAGGGATAGAAACGTCCTAAA

68  T L L P I I F H L Q G V S P L I F G L L A V I G H T F P I F A G F   100

301 AAAGGTGGTAAGGCTGTCGCAACCAGTGCTGGAGTGATTTTCGGATTTGCGCCTATCTTCTGTCTCTACCTTGCGATTATCTTCTTTGGAGCTCTCTATC  400
    TTTCCACCATTCCGACAGCGTTGGTCACGACCTCACTAAAAGCCTAAACGCGGATAGAAGACAGAGATGGAACGCTAATAGAAGAAACCTCGAGAGATAG

101 K G G K A V A T S A G V I F G F A P I F C L Y L A I I F F G A L Y L   134

401 TTGGCAGTATGATTTCACTGTCTAGTGTCACAGCATCGATTGCGGCTGTTATCGGGGTTCTGCTCTTTCCACTTTTTGGTTTTATCCTGAGTAACTATGA  500
    AACCGTCATACTAAAGTGACAGATCACAGTGTCGTAGCTAACGCCGACAATAGCCCCAAGACGAGAAAGGTGAAAAACCAAAATAGGACTCATTGATACT

135 G S M I S L S S V T A S I A A V I G V L L F P L F G F I L S N Y D   167

501 CTCTCTCTTCATCGCTATTATCTTAGCACTTGCTAGTTTGATTATCATTCGTCATAAGGACAATATAGCTCGTATCAAAAATAAAACTGAAAATTTGGTC  600
    GAGAGAGAAGTAGCGATAATAGAATCGTGAACGATCAAACTAATAGTAAGCAGTATTCCTGTTATATCGAGCATAGTTTTTATTTTGACTTTTAAACCAG

168 S L F I A I I L A L A S L I I I R H K D N I A R I K N K T E N L V   200

601 CCTTGGGGATTGAACCTAACCCATCAAGATCCTAAAAAATAA  642
    GGAACCCCTAACTTGGATTGGGTAGTTCTAGGATTTTTTATT

201 P W G L N L T H Q D P K K *   213
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Fig. 2

BACSU_yneS

SEQ ID NO: 4
SEQ ID NO: 12
SEQ ID NO: 13

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1   ATGTTAATTGCTTTATTGATTATTTTGGCCTACTTGATAGGCAGCATTCCATCTGGCTTAATTGTGGGCAAGCTTGCCAAAGGAATTGATATTCGGGAGC   100
    TACAATTAACGAAATAACTAATAAAACCGGATGAACTATCCGTCGTAAGGTAGACCGAATTAACACCCGTTCGAACGGTTTCCTTAACTATAAGCCCTCG

1   M L I A L L I I L A Y L I G S I P S G L I V G K L A K G I D I R E H   34

101 ACGGAAGCGGCAACTTAGGCGCTACCAATGCATTCCGTACATTGGGTGTAAAAGCTGGTTCGGTCGTCATAGCCGGAGATATTTTGAAAGGGACACTGGC   200
    TGCCTTCGCCGTTGAATCCGCGATGGTTACGTAAGGCATGTAACCCACATTTTCGACCAAGCCAGCAGTATCGGCCTCTATAAAACTTTCCCCTGTGACCG

35  G S G N L G A T N A F R T L G V K A G S V V I A G D I L K G T L A   67

201 AACTGCATTGCCTTTTCTCATGCATGTTGATATTCACCCGCTTCTTGCAGGAGTCTTTGCGGTTTTAGGCCACGTGTTTCCCATCTTCGCCAAATTTAAA   300
    TTGACGTAACGGAAAAGAGTACGTACAACTATAAGTGGGCGAAGAACGTCCTCAGAAACGCCAAAATCCGGTGCACAAAGGGTAGAAGCGG:TAAATTT

68  T A L P F L M H V D I H P L L A G V F A V L G H V F P I F A K F K   100

301 GGCGGTAAAGCCGTGGCGACATCAGGAGGCGTTTTGCTATTTTACGCACCCCTGTTATTTATCACGATGGTTGCGGTATTCTTCATCTTTTTATACTTGA   400
    CCGCCATTTCGGCACCGCTGTAGTCCTCCGCAAAACGATAAAATGCGTGGGGACAATAAATAGTGCTACCAACGCCATAAGAAGTAGAAAAATATGAACT

101 G G K A V A T S G G V L L F Y A P L L F I T M V A V F F I F L Y L T   134

401 CTAAATTTGTTTCTCTCTCATCGATGTTAACAGGGATCTATACTGTTATATATAGTTTCTTTGTCCATGATACGTATTTATTGATTGTCGTTACCCTGCT   500
    GATTTAAACAAAGAGAGAGTAGCTACAATTGTCCCTAGATATGACAATATATATCAAAGAAACAGGTACTATGCATAAATAACTAACAGCAATGGGACGA

135 K F V S L S S M L T G I Y T V I Y S F F V H D T Y L L I V V T L L   167

501 CACTATTTTTGTGATATACAGACACCGAGCGAACATTAAACGAATTATCAATAAAACAGAACCTAAAGTAAAATGGTTATAA   582
    GTGATAAAAACACTATATGTCTGTGGCTCGCTTGTAATTTGCTTAATAGTTATTTTGTCTTGGATTTCATTTTACCAATATT

168 T I F V I Y R H R A N I K R I I N K T E P K V K W L *   193
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